IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

Crl.Rev.Pet.No. 1370 of 2007(Y)

CC.104/2002 of JUDL.MAGISTRATE OF FIRST CLASS, KOLENCHERRY
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REVN. PETITIONER:

M.S. PRATHAP, AGED 48 YEARS,
MANAGING DIRECTOR,
HAIMA POLYMERE (P) LTD.,
KADAYIRUPPU P.O., KOLENCHERRY,
ERNAKULAM DISTRICT

BY ADV. SRI.M.K.DILEEPAN
SRI. DEEPAK T. NEDUNGADAN

RESPONDENTS:
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1. D.A VARAPRASAD,
PROPRIETOR, M/S. SAI TEJASWI INDUSTRIES,
DOOR NO. 26/124, BODDAPATIYARRI
VIJAYAWADA - 520 003.

2. STATE OF KERALA, REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 29/03/2007, THE COURT ON THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1370 OF 2007

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Dated this the 29th day of March 2007

O R D E R

The revision petitioner is the complainant in C.C. No.104/2003 who had initiated proceedings under section 138 of the Negotiable Instruments Act which stands dismissed under Section 204(4) Cr.P.C as the complainant was absent. It is submitted that eight times he had taken steps. But the accused could not be traced. Right now, he has obtained the correct address of the accused to initiate steps.

2. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter. He shall appear before Judicial First Class Magistrate, Kolamcherry on **20.04.2007**.

The Crl.R.P is allowed accordingly.

K.R. UDAYABHANU, JUDGE.

RV